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Detecting the Past: Detective Novels, the Nazi Past, and Holocaust Impiety

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Received: 1 October 2019; Accepted: 4 December 2019; Published: 7 December 2019



Abstract: Crime writing is not often associated with Holocaust representations, yet an emergent trend, especially in German literature, combines a general, popular interest in crime and detective fiction with historical writing about the Holocaust, or critically engages with the events of the Shoah. Particularly worthy of critical investigation are Bernhard Schlink's series of detective novels focusing on private investigator Gerhard Selb, a man with a Nazi background now investigating other people's Nazi pasts, and Ferdinand von Schirach's *The Collini Case* (2011) which engages with the often inadequate response of the post-war justice system in Germany to Nazi crimes. In these novels, the detective turns historian in order to solve historic cases. Importantly, readers also follow in the detectives' footsteps, piecing together a slowly emerging historical jigsaw in ways that compel them to question historical knowledge, history writing, processes of institutionalised commemoration and memory formation, all of which are key issues in Holocaust Studies. The aims of this paper are two-fold. Firstly, I will argue that the significance of this kind of fiction has been insufficiently recognised by critics, perhaps in part because of its connotations as popular fiction. Secondly, I will contend that these texts can be fruitfully analysed by situating them in relation to recent debates about pious and impious Holocaust writing as discussed by Gillian Rose and Matthew Boswell. As a result, these texts act as exemplars of Rose's contention that impious Holocaust literature succeeds by using new techniques in order to shatter the emotional detachment that has resulted from the use of clichés and familiar tropes in traditional pious accounts; and by placing detectives and readers in a position of moral ambivalence that complicates their understanding of the past on the one hand, and their own moral position on the other.

Keywords: detective fiction; Holocaust literature; commemoration; Holocaust Impiety; Bernhard Schlink; Ferdinand von Schirach

1. Introduction

This article is about crime writing and the Holocaust, two themes that at first glance seem mutually inclusive: the Holocaust is generally regarded as the worst crime in history, so on one level its coverage via 'crime writing' might seem unproblematic. However, if we substitute the term 'crime writing' with 'detective fiction', the case might be different because for many the latter falls squarely into the realm of Popular Culture. Critics and readers alike often associate popular fiction with 'low' culture, something quickly written, mass produced, effortlessly readable, and conforming to easily reproducible, limiting and predictable formulae. As early as 1932, Q.D. Leavis warned in *Fiction and the Reading Public* against the persuasiveness and pervasiveness of popular fiction with its 'thinness and surface liveliness of the writing' and 'crude prose' which she considered a serious threat to 'quality' fiction (Leavis 2000, p. 185). Detective fiction, like the romance novel, has long been amongst the most popular of popular genres, its longevity testament to more than its mere adherence to formulae and its apparent reliance on 'thinness' and 'crude prose'. While many readers and critics might consider it a step too far to

consider a sub-genre of detective fiction dedicated to the Holocaust, this article suggests that this genre has considerable value. After briefly outlining various approaches to Nazi and Holocaust detective writing, I will, via a case study of Bernhard Schlink and Walter Popp's *Selbs Justiz/Self's Justice* (1987; 2004) and Ferdinand von Schirach's *Der Fall Collini/The Collini Case* (2011; 2012), demonstrate that Holocaust detective novels should be seen as a valuable addition to the steadily growing genre of 'impious' Holocaust writing that ultimately engages with the past but also asks readers to do so in a self-reflexive and, above all, self-critical way.

2. The Background

January 2020 sees the 75th anniversary of the liberation of Auschwitz. Since January 1945, Nazi crimes against the Jewish people have become common knowledge: they have been investigated by criminal lawyers and prosecutors of the four main Allied nations, and by historians, academics, and journalists; they have been discussed by experts and 'ordinary people'; they have been taught in schools, colleges, and universities across the globe; and they have been written about by experts in countless publications spanning a wide variety of subject areas. In the immediate post-war years, official trials aimed to bring Holocaust perpetrators to justice.¹ Investigations were conducted into the workings of the camps, statistics were compiled, and 'official' books were written. The aim of all these efforts was to punish and to teach, to make the crimes of the Holocaust a well-known fact, to prosecute the perpetrators, and, through education, to prevent similar crimes from happening again.

These were all-important and well-intentioned actions. Despite these efforts at general education and just punishment, however, there was a prevailing sense of silence about the Holocaust particularly in post-war German society. As Bill Niven (2001) and Caroline Pearce (2007), among others, have discussed in detail, post-war German society focussed more on rebuilding cities and industries rather than engaging with the crimes of the Holocaust. This attitude is also particularly well-depicted in the recent fictional German film *Labyrinth des Schweigens* (Ricciarelli 2014; English title: *Labyrinth of Lies*) that follows the efforts of the State Prosecutor Johann Radmann to bring Auschwitz guards to justice.² What stands out in the film, apart from the general disinclination of the general population but also other lawyers and prosecutors to engage with the Holocaust at all, is the reluctance, even unwillingness of the witnesses, the Holocaust survivors, to give evidence against their camp guards. The silence of these witnesses echoes a wider silence in the immediate post-war decade: the survivors of the Holocaust were largely silent, initially unable to relive their trauma by discussing or writing about it. Just as importantly, the world at large was not yet ready to listen to survivor stories, but this changed with the Eichmann trial of 1961, a watershed date for Holocaust commemoration: for the first time, survivors stood up in a court room to recount their harrowing experiences—and suddenly the world wanted to listen.³ It was this watershed that also prompted the witnesses in the Frankfurt Auschwitz trials to break their silence. Although now celebrated survivor accounts such as *La Nuit* by Elie Wiesel or *Se questo è un uomo* by Primo Levi were published before these dates—in 1958 and 1947 respectively—they only found a steadily-increasing readership after the trial. After this, there was a thirst for survivor memoirs and eye-witness accounts that represented the first cultural wave of Holocaust representation, and which to this day have remained the most evocative and the most influential. Without them, there would now not be such a diverse body of Holocaust writing. As I have argued elsewhere (Berberich 2019, p. 3), those early survivor accounts helped create a meta-narrative of the Holocaust from the perspective of the victim that has been emulated in much later cultural production, most importantly in Holocaust film and literature. Thanks to survivor accounts, we

¹ See, for instance, Donald Bloxham's *Genocide on Trial: War Crimes Trials and the Formation of Holocaust History and Memory* (Bloxham 2003).

² See Tom Tugend (2015). 'Labyrinth of Lies' explores Holocaust denial in post-war Germany'. <https://www.timesofisrael.com/labyrinth-of-lies-explores-holocaust-denial-in-postwar-germany/>.

³ See, for instance, https://www.yadvashem.org/yv/en/exhibitions/eichmann/awareness_of_the_holocaust.asp.

know about life in the ghettos or in hiding, and have learnt about the horrors of the camps from an emotive perspective.

Despite the success and unquestionable importance of these accounts, it is also important to have other perspectives on, and discussions about, the Holocaust. With the number of Holocaust survivors diminishing, it is vital to have new and diverse forms of Holocaust representation to keep commemoration active and memory alive. The last few decades have seen a variety of new trends: different kinds of Holocaust film, such as the critically acclaimed *Ida* (Pawlikowski 2013) or *Son of Saul* (Nemes 2015); new museums, such as the one attached to the Memorial to the Murdered Jews of Europe in Berlin (2005) that try and engage visitors through providing more personal experiences, focusing on individual victims' stories rather than trying to depict the Holocaust in its barely comprehensible entirety; or activist memory work, such as that done via Gunter Demnig's *Stolperstein* project that has started in 1997 and that, again, foregrounds the individual.⁴ Arguably, Holocaust fiction has become the biggest form of cultural commemoration. Some cultural commentators and critics, Berel Lang most prominent amongst them, have vociferously argued against this. He has argued that 'If we assume in any image or "representation" a construct that substitutes the representation for an original, representations will ... never be quite adequate' (Lang 2000, p. 19). Lang, of course, has a point: no representation of the Holocaust will ever come close to capturing the horrors the victims had to experience. This attitude is also vigorously articulated by Holocaust survivor Elie Wiesel, who has repeatedly stated that 'any survivor has more to say than all the historians combined about what happened' (in Novick 1999, p. 201). The status of survivors, and the importance of their testimony can and certainly should not be overstated. It needs to be understood, however, that cultural representations of the Holocaust do not seek to diminish the role of the survivor, nor do they seek to demystify. Instead, they try to offer alternative insights, glimpses, perspectives, and emotive connections to those traditionally found in survivor writing and factual historical accounts.

3. Holocaust (Im) Piety

There is a second factor coming into play. While the status of the Holocaust survivor is rightly seen as inviolable, writing by survivors has come to be seen as gospel, as the one primary form of representation that most other representations of the Holocaust are based upon.⁵ But this is, potentially, limiting and might ultimately do a disservice to Holocaust representation. Of course, as with every cultural production, there are good and bad examples—John Boyne's *The Boy in the Striped Pyjamas* (Boyne 2014) and the very recent, and very bad, *The Tattooist of Auschwitz* by Heather Morris (2018) probably being the most prominent examples of the latter. Those judgements, however, are inevitably a matter of taste and vary from reader to reader. They are also subject to the background and outlook of the individual. Despite its inherent flaws and historical inaccuracies—it was *not* possible to crawl underneath the fence of Auschwitz at will, for instance—*The Boy in the Striped Pyjamas* has been a set text on the British National Curriculum for Key Stage 3 for a number of years now. For many British secondary school pupils, this text forms their only engagement with the Holocaust—and this is problematic, especially because of its factual errors.⁶ Similarly, Morris' text has been on the bestseller

⁴ For more information on the *Stolperstein* project see Kirsten Grimstad (2019). 'Still Struggling with German History: W.G. Sebald, Gunter Demnig and activist memory workers in Berlin today.' *Holocaust Studies. A Journal of Culture and History*. 25: 101–17.

⁵ Anna Clare Hunter, in her article 'To tell a story': cultural trauma and holocaust metanarrative' supports this claim: 'post-Holocaust Western Culture has turned to the narration of the Holocaust, primarily through written survivor testimony but also through fictional narrative and film'. She continues that 'testimony has been constructed ... as a literary genre in its own right ... and this genrefication has led to the metanarrative of the Holocaust that, whilst appearing to facilitate engagement with the event, actually acts as a screen between the cultural imagination and the damaging effects of the Holocaust' (Hunter 2019, p. 13).

⁶ Academics have debated the shortcomings of *The Boy in the Striped Pyjamas* and its problematic inclusion in the National Curriculum at length. See, for example, Geoffrey Short. 2015. The Holocaust in the National Curriculum. A Survey of Teachers' Attitudes and Practices. *Holocaust Studies. A Journal of Culture and History*. 4: 167–188. doi:10.1080/17504902.1995.11102027; Rosie Whitehouse. 2018. The Failure of Holocaust Education in Britain. *The Tablet*. 16 October. n.p. Available online: <https://www.tabletmag.com/jewish-arts-and-culture/272237/holocaust-education-britain>.

lists for months and is currently being adapted for the small screen (Cowdrey 2018). Texts such as these *are* limiting and, ultimately, damaging to the memory of the Holocaust. They rely on mere clichés and stereotypes—the striped pyjamas, the tattoo, the cattle car, the *Arbeit macht frei* sign—and provide underdeveloped and generally unreflective characters, that almost become caricatures of real Holocaust survivors. Largely depthless characters are designed for readers to sympathise with—but they do so in a way that does not allow for meaningful engagement with the Holocaust. It is texts and films such as these—critics include films such as Steven Spielberg’s *Schindler’s List* (1993) in this category—that the philosopher Gillian Rose has in mind when she talks about ‘Holocaust piety’ (1996): cultural productions that offer primarily emotive representations of the Holocaust. In *The Boy in the Striped Pyjamas*, for instance, this takes the form of the unlikely friendship between Bruno, the son of the Commandant, and Shmuel, a young camp inmate. In *The Tattooist of Auschwitz*, the emphasis is on the love story between Lale and Gita, the woman who was to become his wife. Neither of these texts shed any light on the actual horrors of the concentration camps and mass murder. None of these texts require any real engagement from the reader. For Rose, such Holocaust representation has moved into the realm of ‘the ineffable’: the equation of the Holocaust with ‘the breakdown in divine and/or human history’ has led to relative ‘silence’ in representations of the Holocaust: too many things remain unsaid (Rose 1996, p. 43). She contends that ‘to argue for silence, prayer, the banishment equally of poetry and knowledge, in short, the witness of “ineffability”, that is, non-representability, is to mystify something we dare not understand’ (Rose 1996, p. 43; italics in original). This suggests that despite the wealth and variety of Holocaust literature that is already available, much of it only serves to further mystify the Holocaust, to represent it as something that cannot be represented, that should not be attempted to be represented, and that ultimately leaves its readers without any real understanding of the events of the Holocaust.⁷

In contrast, Rose advocates writing that challenges and that pushes boundaries. This, she argues, ultimately helps readers to engage with the events described in a more meaningful way. Recently, authors such as Patrick Modiano, Shalom Auslander, Jonathan Littell or W.G. Sebald have both challenged established forms of literary Holocaust commemoration and set the bar for new forms. Their work seeks to imaginatively fill the void left by the Holocaust in various ways: in the case of Modiano’s *The Search Warrant* (Modiano 2009) and Sebald’s *Austerlitz* (Sebald 2002) by recreating the life and fate of a possible Holocaust victim; by taking on the established iconography of the Holocaust in the case of Auslander’s quasi-sacrilegious depiction of an aged Anne Frank in *Hope. A Tragedy* (Auslander 2012); or by providing minute insights into the mind of a perpetrator in the case of Littell’s *The Kindly Ones* (Littell 2009). These texts overstep unspoken yet established boundaries of what Gillian Rose terms Holocaust piety: ultimately, they make us, as readers, consider our own position. In many cases, both Rose and Boswell argue, impious Holocaust texts ‘deliberately engineer a sense of crisis in readers, viewers or listeners by attacking ... cognitive and cultural mechanisms’ (Boswell 2012, p. 3). This can come in the form of a rupture: depictions or actions in impious Holocaust texts can shock readers—but, through this, simultaneously ask them to actively engage with that very shock by reassessing their own stance towards the past.

Popular fiction, I contend, is particularly important in this respect. The very subject matter of the Holocaust, for instance, potentially excludes readers reluctant to engage with such a serious topic while reading fiction. Popular fiction, however, has the potential to open up the subject to a broader audience. Detective fiction on the Holocaust is thus a particularly interesting case. As Thomas W. Kniesche, one of the few critics to address the genre, observes, ‘crime fiction sells and history sells. ... Crime fiction is what people read, it can make history accessible in new ways and reach audiences which scholarly

⁷ This is also directly relevant for the ensuing discussion of Holocaust detective novels: the aim of the detective is to demystify, to uncover potentially uncomfortable or even painful truths. As readers of detective fiction, ‘we’, the readers, take an active part in the detective’s investigations, assessing evidence alongside and trying to solve the mystery before him. I will further elaborate on this point below.

historiography or other media that talk about history do not normally reach' (Kniesche 2013, p. 117). Falling into the category of 'formula writing', detective fiction generally works on the premise that a crime has been committed, and that an investigator, either a trained policeman, detective, or amateur investigator solve the crime. The foregone conclusion is that the crime is solved at the end of the novel, and that justice is meted out in a 'good versus bad' scenario. However, when it comes to the idea of formula writing or other popular representations of the Holocaust, many critics are wary. Sophia Marshman, for instance, accuses popular engagement with the Holocaust of a 'desire to hide from its ultimate horror' (Marshman 2005, p. 9) and, admittedly, none of the texts in the following analysis dwell on the horrors of the concentration camps per se. Instead, though, the novels under discussion focus on something else, and something that should not be underestimated: they laboriously piece together the past, and minutely describe the often frustrating and painstaking detective work that is required to achieve this. They therefore ask compelling questions about similarities between detective work and the writing of history. Importantly, these novels reflect on how the past is both being constructed *and* dealt with, and that is what makes their contribution to literary commemorations of the crimes of the Nazis so valuable. Additionally, detective novels about the Holocaust often challenge and subvert genre expectations about 'good' versus 'bad', while their outcomes often frustrate expectations of clear resolutions and the achievement of justice. Neat distinctions between 'good' and 'bad' are often shown to be less clear cut, and instead deeply complex: perpetrators can become victims; victims, in turn, can become perpetrators. They do not do so in order to upset survivors or exonerate the perpetrators. Instead they engage critically and often self-reflexively with questions of individual and collective culpability. They try to highlight the ways in which the crimes of the Holocaust still affect lives decades after the events. Just as importantly, they pose profound questions about individual choices that ultimately extend to their readers.

4. Holocaust Detectives

Scott McCracken argues that popular fiction 'can tell us much about who we are and about the society in which we live' (McCracken 1998, p. 1). Novels investigating Nazi crimes come from a variety of cultural backgrounds—prominent authors here include, for instance, the British writers Philip Kerr who has so far produced 14 novels in his Bernie Gunther series, or Nicolas Freeling who created a successful series of novels focusing on Inspector van der Valk—but have been particularly prolific in Germany since re-unification. Following McCracken, this suggests that there is a real, ongoing and, after 75 years still urgent, drive in Germany to critically engage with the crimes of its past.⁸ German *Vergangenheitsbewältigung*, or 'coming to terms with the past', consequently does not stop at popular fiction, but uses it cleverly to ask difficult questions *and* involve a wider readership at the same time. Authors such as Bernhard Schlink, Christian von Dittfurth, Ferdinand von Schirach, Ulrich Ritzel, Bernward Schneider, Robert Brack, Gunnar Kunz, Uwe Klausner, Elisabeth Herrmann, Rainer Gross, Uta-Maria Heim, Mechthild Borrman, Jörg Reibert, and Erich Schütz have all created stand-alone works of detective fiction or highly successful series with detectives who, again and again, have to investigate the crimes of the past and their link to the present.

There are, broadly speaking, two general trends in these detective novels: there are those that are set in the past, and that deal with historical figures, both real and imaginary, and there are those that are set in the (relative) present but look backwards, from a vantage point of historical hindsight, and investigate contemporary crimes with a link back to the past. The first category of novels is generally referred to as straightforward historical crime fiction, 'set entirely in some particular historical time period, but ... not written during that period' (Scraggs 2005, p. 125). Both Bernward Schneider and

⁸ A lot has, of course, been written about German engagement with its Nazi past: work by Olick (2007) or Fulbrook (2018), for instance, details various phases of German *Vergangenheitsbewältigung* and this paper acknowledges their valuable work. Its focus, however, is on critical engagement with the Holocaust that has now also moved into the realm of *popular* culture.

Uwe Klausner, for instance, have written such historical detective novels. Schneider's *Berlin Potsdamer Platz* (2013) is set in the run-up to the Röhm Putsch, the infamous 'Night of the Long Knives'. As such, it has a real historical setting that refers to actual historical figures, yet also introduces fictional characters who solve a crime. Klausner's *Bernstein Connection* (Klausner 2011) is the third volume in an ongoing series focusing on Kommissar Tom Sydow of the (West) Berlin *Kriminalpolizei*. Set predominantly in 1953, in the early stages of the Cold War at whose centre was the divided post-war Berlin, the novel revolves around the various conspiracy theories concerning the famous 'Bernsteinzimmer' (Amber Room), looted from Saint Petersburg by the Nazis and allegedly being destroyed during the final months of the War. The novel thus also focuses on factual historical events and, in narrative flashbacks to the War, introduces real-life characters such as Heinrich Himmler. These novels are educational in that they introduce facts about the war and Nazi crimes to a wider audience. They deal with the past, but they wear their engagement with it relatively lightly.

However, the second category of novels is more complex and, from the point of view of German *Vergangenheitsbewältigung*, more interesting. These novels attempt to solve fictional contemporary crimes that refer back to Nazi crimes. In many cases, these contemporary crimes have been carried out to revenge crimes committed by the Nazis; in other cases, they are committed to cover up Nazi crimes that could still implicate perpetrators and their descendants decades later. Bruce Murphy refers to these works as 'trans-historical crime fiction' (Murphy 2001, p. 247). As Achim Saupe has shown, in these novels the emphasis is on 'detection that uncovers the ambivalence of history, memory and remembrance that leads back to [the] past' (Saupe 2009, p. 268; translation mine).⁹ Rather than merely solving the crime, novels such as these reflect on how history has been passed down and commemorated, and how that engages with individual choices both in the past and in the present. The following section offers a close analysis of two prominent examples in the field that are particularly successful in highlighting issues of commemoration, of history writing, and, in particular, of personal choices and *Vergangenheitsbewältigung*.

5. The Collini Case and Selbs Justiz/Self's Punishment

Both Bernhard Schlink and Walter Popp's novel *Selbs Justiz* of 1987 (published in English as *Self's Punishment* in 2004) and Ferdinand von Schirach's *Der Fall Collini* of (Schirach 2011) (published in English as *The Collini Case* in 2012) fall into this latter category of 'trans-historical crime fiction' that is influenced by postmodernism and shares many characteristics with the 'metahistorical novel' that foregrounds the process of detection, remembrance, recollection and commemoration (Saupe 2009, p. 268ff). Both novels have detectives—in Schlink's case an actual private investigator, in von Schirach's a young attorney—who investigate crimes with links to the past that, ultimately, ask them highly personal questions about their own life choices. The authors' personal backgrounds also seem reflected in their novels: all three have successful backgrounds in the legal profession as practicing lawyers; Schlink additionally acted as a judge and held a prestigious position as Professor of Law. All three authors, consequently, are intimately acquainted with the history of German law, and in particular with its inadequacies when it comes to meting out 'retro-active' justice to Nazi crimes.¹⁰ Von Schirach's novel contains an afterword that explains that 'In January 2012, a few months after the publication of this novel in the original German, the Federal Minister of Justice appointed a committee to reappraise the mark left on the Ministry of Justice by the Nazi past. This novel constituted one of the points of reference' (Schirach 2013, p. 189). This fact alone undermines the claim that popular fiction lacks importance and influence; von Schirach's novel was instrumental in highlighting a loophole in the law that had allowed scores of former Nazis to escape just punishment. A detective novel,

⁹ The original reads: 'wobei die Ermittlungsarbeit die Ambivalenzen von Geschichte, Gedächtnis und Erinnerung freilegt und in eine Vergangenheit zurückführt ...'.

¹⁰ Schlink's most famous novel, *The Reader* of 1995, deals with this in particular.

generally considered an item produced and consumed for light relief and entertainment, has thus been instrumental in a very important case of German *Vergangenheitsbewältigung*. But there are also other, potentially more personal instances of successfully dealing with the past in von Schirach's novel.

The Collini Case starts with a cold-blooded murder: the Italian guest worker Fabrizio Collini walks into an expensive Berlin hotel and kills a seemingly innocent old man in cold blood. Collini does not deny this killing and lets himself willingly be taken into custody. The young and inexperienced attorney Caspar Leinen agrees to take the case—before realising that the victim, Jean-Baptiste Meyer, was personally well-known to him as the benign stand-in grandfather figure who had dominated his youth. Leinen is thus caught in a dilemma: become an investigator and find the real motivation for Collini's crime, or cherish the memory of Meyer. As he sets out the case for the defence in court, he 'knew that today he was going to destroy his childhood' (Schirach 2013, p. 143). This stark assessment of the situation shows that Leinen realises that his life will never be the same again: his cherished memories of Meyer will forever be tainted by the fact that the Meyer he once thought he knew and loved had turned out to be a Nazi perpetrator, the SS Officer in charge of murdering Collini's father. This reflects real-life parallels for author Ferdinand von Schirach who, during a history lesson at the age of 12, made the devastating discovery that his grandfather was none other than Baldur von Schirach, the infamous leader of the Hitler Youth. In an interview, von Schirach stated that he considered dealing with the past, both his family's past and the country's as a whole, as his personal 'responsibility', and explained that 'I felt the need to finally write something myself about national socialism, or more precisely, about what the federal republic has done with its legacy' (Pidd 2011, n.p.). Von Schirach's personal family past is paralleled by many Germans for whom the real difficulty in critically engaging with the Nazi legacy lies in combining the 'official' knowledge of the Third Reich and the Holocaust—acquired through history lessons, documentaries, exhibitions, reading—with the personal recollection of beloved parents, grandparents, aunts, uncles or siblings who might have turned out to have been complicit in Nazi crimes.¹¹

The Collini Case repeatedly blurs lines: the lines between the private and the public to start with, but also those between good and bad, in ways that problematise the widely-held notion of perpetrators (= bad) and victims (= good), highlighting that these divisions cannot always be this conveniently clear cut. On the one hand, there is Meyer, who from a contemporary perspective was clearly the 'bad Nazi' who had unquestioningly followed orders and obeyed the law of the time. Just as problematically, he saw no need during the post-war decades to critically assess his own past or attempt to atone for his crimes. Indeed, he even felt vindicated by German law that, until 2012, decreed that 'in juridical terminology only the top Nazi leaders were murderers ... all others were regarded as accessories to murder' (Schirach 2013, p. 175). For Leinen, though, Meyer had been nothing but kind and supportive, providing him with loving support during an otherwise difficult childhood. Because readers access Leinen's recollections of his childhood, they also experience Meyer as a kindly and caring character. The reader, like Leinen, thus has to reconcile the image of the benign Meyer with that of the cold-blooded Nazi killer in the same way as von Schirach himself had to come to terms with the fact that his grandfather, 'the so-called cultured person with a box at the Viennese Opera' had also 'orchestrated the deportation of thousands of Jews from Vienna's main station' (Pidd 2011, n.p.). Both the fictional Leinen and the real-life von Schirach thus have to ask themselves questions: why had they not known about this before, and why had they not realised this potential for evil in their loved ones?

On the other hand, there is the deeply traumatised Collini who with his own eyes had seen his beloved older sister raped and killed by Nazi thugs and whose father was murdered in cold blood on Meyer's orders. Collini is, of course, the victim with whom everybody can empathise. Yet he too commits a cold-blooded and particularly violent murder, and although he does so to revenge his family

¹¹ A particularly evocative example for this can be found in Philippe Sands' recent documentary film *My Nazi Legacy. What our Fathers Did* (Evans 2015) that brings together the British Human Rights Lawyer Sands with the sons of two prominent Nazis, Niklas Frank and Horst von Wächter and assesses their very different approaches to engaging with their fathers' crimes.

and kill ‘the bad guy’ he in turn becomes a murderer. Consequently, law and order are turned upside down: the real and original perpetrator, Meyer, can no longer be legally and formally prosecuted and punished because the former victim, Collini, has taken the law into his own hands and has effectively become a perpetrator himself. Leinen finds himself defending a clearly guilty man, arguing for his innocence in a way that suggests that there is a hierarchy to crime: one murder deserves punishment, while another, due to circumstances, does not. It is this very ambivalence of law and justice, about who should and should not be punished, about taking the law into one’s own hands, that also stands at the centre of Schlink and Popp’s *Self’s Punishment* (Schlink and Popp 1987).

The novel focuses on sixty-something private eye Gerhard Selb (in the English version, he is called Gerhard Self for reasons that will be discussed below) who is investigating a series of cyber hackings in a chemical company. The owner of the company is Selb’s old friend Korten. In fact, Korten is more than a friend: he is Selb’s brother-in-law and, as such, has been ‘family’ for decades. Selb himself has ‘history’. A former member of the SS and a promising criminal prosecutor under the Nazis he is, after the War, plagued by a guilty conscience about the complicity of ‘the Law’ in Nazi crimes that prompts him to give up his career and set up a business, never really flourishing, as a private investigator. Schlink and Popp use this set up to critique the post-war justice system in Germany that allowed former Nazis to continue practicing law without holding them accountable for their own role in the Third Reich that had seen them implementing and upholding Nazi law.

The novel’s continuous preoccupation with the subject of law is already flagged up in its title which deserves some discussion. The German original, *Selbs Justiz*, roughly translated as ‘Selb’s justice’, is a play on the word *Selbstjustiz*—which has no equivalent in English but translates into ‘taking the law into one’s own hands’. This title highlights the novel’s main preoccupation: the finding—and making accountable—of perpetrators who have gotten away for too long; the question of who metes out justice when and how. The English title varies from this, most prominently through its name change from Gerhard Selb to Gerhard Self: *Self’s Punishment*. Although there is, here, no clear link to justice and the law, the emphasis is on punishment, albeit with a certain ambiguity: whose punishment? The one that Selb/Self¹² will apportion to somebody, or the punishment that will affect himself?

During the course of the investigation, Selb soon sees himself confronted with a much bigger crime: he uncovers Korten’s company’s complicity in Nazi crimes, the abuse of forced Jewish labour, the company’s culpability in crimes against Jews. He also realises that Korten has used him during the investigation to set up others to be punished for crimes they have not committed. During the course of his investigations, two men are murdered. Selb’s realisation ‘The plot—with me as the dupe. Set up and executed by my friend and brother-in-law. And I’d been happy not to have to drag him into the trial. He’d used me with contemptuous calculation’ (Schlink and Popp 2005, p. 270) does not only mean the end of their friendship. It means, first and foremost, that Selb is forced to confront his own past as a former member of the SS and a prosecutor in the service of the Nazis. He has two choices: to ignore this part of his investigation, to not further investigate the Nazi crimes of his friend Korten, and to keep his own Nazi past firmly buried. Or, alternatively, to confront Korten with his crimes. Korten, in turn, does not shy away from highlighting Selb’s own involvement in the case that, in Korten’s opinion, makes him as culpable: ‘Did I murder them? Or was it the judge or the hangman? Old Schmalz? And who headed the investigation against Tyberg and Dohmke? Who set the trap for Mischkey and let it snap shut? We’re all entangled in it, all of us, and we have to recognize that and bear it, and do our duty’ (Schlink and Popp 2005, p. 280). Korten, however, perverts the meaning of words such as ‘recognition’, ‘bearing it’ and ‘doing our duty’ as he sees them as synonymous with leaving the past firmly in the past, with not facing up to crimes past or present. He has only contempt for attempts within Germany to confront the Nazi past which he considers ‘some theatre with trials

¹² To avoid confusion, and as it is the original German version, I will continue to refer to the novel’s main protagonist as Selb rather than Self.

and verdicts', and pity for Selb's attempts to deal with the past: 'We are our own fate, and I don't offload anything on powers and forces. You're the one who never sees things through to the end, nor leaves them well and truly alone. . . . My God, Gerd, grow up at last' (Schlink and Popp 2005, pp. 281–82). He does not accept that Selb has come to judge him. His words 'because the perpetrator wants to play judge?' (Schlink and Popp 2005, p. 282) are key to the novel that, just as *The Collini Case*, problematises the often too conveniently drawn line between good and bad, between guilty and innocent, between perpetrator and victim. Gerhard Selb, the former member of the SS and Nazi prosecutor who has spent all of his post-war life trying to atone for his former complicity and who might, consequently, have come to be considered that big dichotomy, the 'good Nazi', has come to judge his brother-in-law, the man who never really left his Nazi past behind and who is unwilling to even consider his complicity in Nazi crimes. But in his attempts to judge Korten, Selb goes a step further: during a confrontation between the two men at Korten's holiday home in Brittany, his last words to Korten are 'I've come to kill you' (Schlink and Popp 2005, p. 282) before he pushes him off the cliffs. Selb, consequently, has become once again, and possibly more clearly than before, a perpetrator. The detective has not only investigated the past and solved a crime, he has also assumed the roles of both the judge and the executioner—and, as such, has, almost literally, been left with blood on his hands. This is the *Selbstjustiz* of the title: the taking of the law into one's own hands in the same way that Fabrizio Collini in von Schirach's novel had done. In the final instalment of the Selb saga, *Selbs Mord* (roughly translated as 'Selb's murder' but, also, again a word play on the German 'Selbstmord' [suicide], single-authored by Schlink in 2001 (Schlink 2003), an older Selb, much weakened by a heart condition, recalls that final confrontation with Korten on the cliff path in Brittany: 'I never regretted it. There have been times when I thought I ought to, because it was neither legally nor morally correct. But remorse never set in' (Schlink 2010, p. 217). Always an advocate of facing up to the past, of atoning for its crimes, Selb lives the rest of his life hiding the murder of Korten—and maybe this is the punishment that the English title of *Selbs Justiz*—*Self's Punishment*—suggests: on the one hand, the punishment Selb himself metes out by killing Korten; on the other hand, his own punishment of having to live with that fact for the rest of his life.

6. Conclusions

Both *The Collini Case* and *Selbs Justiz*/*Self's Punishment*, I contend, show the main concerns of contemporary crime writing about the Nazi past: in an effort to shed light on the past, these novels turn the figure of the investigator into detective, jury, judge and, in the case of Selb, executioner at the very same time. And a similar thing can be said for the reader: the reader is taking an active part in the investigator's search, is part of the jury when it comes to assessing these crimes and will, ultimately, also take the part of the judge. In *The Culture Industry*, Adorno (2001) has argued that the culture industry's main aim is to produce 'pre-digested' material that is prescriptive and stops the audience from thinking for itself. But, as these two very brief examples from Schlink and von Schirach have shown, contemporary German crime writing on the Holocaust deviates from this. It sheds lights on different angles and perspectives of the Holocaust, it moves away from the established meta-discourse of prescribed victimhood and, instead, makes readers question their own preconceived notions of right versus wrong, law versus order. Both these novels, finally, show signs of Holocaust impiety by questioning meta discourses and clear divisions into good and bad. As Boswell says, the aim of impious Holocaust writing is 'not the desire to transmit direct knowledge of the event itself or to illuminate history as experienced by the victims'. Instead, he argues that 'it is knowledge and revelation in respect of our own lives and societies, and this frequently involves orientating a response to the Holocaust around the dynamics of perpetration and the moral passivity of the bystanders' (Boswell 2012, p. 4). Truly impious texts, both Boswell and Rose argue, have to involve us, the readers, by making us ask uncomfortable questions of ourselves. In Schlink's most famous novel, *The Reader* of 1995, the Holocaust perpetrator Hanna Schmitz stands up in court and asks the judge 'What would you have done?' (Schlink 1998, p. 110). It is this question that many impious Holocaust texts implicitly

ask their readers, too, thus attempting to move them away from passive consumption at a superficial level to a more meaningful and critical engagement with the topic of the Holocaust. Boswell explains that ‘works of Holocaust impiety . . . attempt to use aesthetic shock as a formal mechanism to induce a deeper ethical engagement with their subject matter’ (Boswell 2012, p. 6). In *The Collini Case*, there are several such shock moments for the reader: the initial brutal murder of Meyer with the mutilated body described in great detail; the further shock when we find out that Meyer was an SS perpetrator; the potential shift in sympathy from murder victim (Meyer) to murderer (Collini) and, added to that, the moral dilemma when we ask ourselves if we might have acted in the same way. Similarly, in *Selbs Justiz/Self’s Punishment*, the shock moment comes when Selb pushes Korten off the cliff. As readers, we are shocked about this turn of events but, potentially, try to condone Selb’s actions. Both novels thus want us to question our own potential for violence, not, I hasten to add, in a way to exonerate or excuse the actual perpetrators of Nazi crimes, but more in an attempt for all of us to question the past and how it is being addressed and commemorated. What would we have done, had we been Fabrizio Collini and lived with his traumatic memories for decades? How would we have acted, had we been confronted with Korten’s brazen self-assuredness on the cliff path in Brittany? *The Collini Case* and *Selbs Justiz* are not merely mass-produced, formulaic whodunnits but, instead, novels that do not shy away from asking uncomfortable questions and that help their readers to critically engage with the past.

Funding: This research received no external funding.

Conflicts of Interest: The author declares no conflict of interest.

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